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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 DAVID PRIEST,  
12 Plaintiff,

13 v.

14 BENTLEY, et al.,  
15 Defendants.  
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No. 2:21-cv-0058 KJN P

ORDER

17 Plaintiff is a state prisoner, proceeding pro se, with a civil rights action pursuant to 42  
18 U.S.C. § 1983. By order filed March 10, 2021, service of process was ordered on defendants in  
19 this action, including defendant Bentley. On March 30, 2021, service of process was returned  
20 unexecuted on defendant Bentley because such individual is deceased. In light of the suggestion  
21 of defendant Bentley's death upon the record, the Clerk of the Court will be directed to serve a  
22 copy of the USM-285 form on plaintiff together with a copy of this order. Service of such form  
23 will invoke the ninety-day time limit for filing a motion for substitution pursuant to Federal Rule  
24 of Civil Procedure 25(a)(1).

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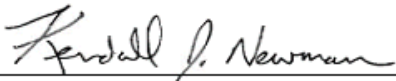
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1 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall serve on  
2 plaintiff forthwith a copy of the USM-285 form returned on March 30, 2021 together with this  
3 order.

4 Dated: April 2, 2021

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6 KENDALL J. NEWMAN  
7 UNITED STATES MAGISTRATE JUDGE

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